

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

SCOTT AND RHONDA BURNETT, RYAN
HENDRICKSON, JEROD BREIT, SCOTT
TRUPIANO, JEREMY KEEL, HOLLEE
ELLIS, and FRANCES HARVEY, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

THE NATIONAL ASSOCIATION OF
REALTORS, REALOGY HOLDINGS CORP.,
HOMESERVICES OF AMERICA, INC., BHH
AFFILIATES, LLC, HSF AFFILIATES, LLC,
RE/MAX LLC, and KELLER WILLIAMS
REALTY, INC.,

Defendant.

Case No. 19-CV-00332-SRB

**NOTICE OF PENDING SETTLEMENT AND JOINT MOTION TO STAY CASE AS TO
REALOGY HOLDINGS CORP.**

Scott and Rhonda Burnett, Ryan Hendrickson, Jerod Breit, Scott Trupiano, Jeremy Keel, Hollee Ellis, and Frances Harvey (collectively “Plaintiffs”) and Anywhere Real Estate, Inc. (f/k/a Realogy Holdings Corp.) (“Anywhere” and, together with Plaintiffs, the “Parties”) respectfully write to the Court to provide notice that Plaintiffs have reached an agreement with Anywhere to settle all claims asserted against Anywhere in this action as part of a proposed nationwide class settlement. This settlement was jointly negotiated with the Plaintiffs in *Moehrl v. The National Association of Realtors, et al.*, Case No. 1:19-CV-01610. The settlement encompasses both classes. This agreement is subject to the Court’s approval under Federal Rule of Civil Procedure 23. Consistent with the Parties’ agreement, Plaintiffs will promptly file a motion in this Court for preliminary approval of the proposed settlement.

As provided by the agreement, Plaintiffs and Anywhere hereby jointly stipulate and request that the

Court stay all deadlines and proceedings solely as to Anywhere to preserve the resources of Plaintiffs, Anywhere, and the Court and to allow the Parties to formalize the settlement agreement and to seek preliminary and final approval of the settlement. As part of the stay, the Parties request that Anywhere be excused from participating in the pretrial conference on September 8, 2023.

Dated: September 5, 2023

Respectfully submitted by:

KETCHMARK & McCREIGHT

/s/ Michael S. Ketchmark

Michael S. Ketchmark MO # 41018

Scott A. McCreight MO # 44002

Ben H. Fadler MO # 56588

11161 Overbrook Road, Suite 210

Leawood, KS 66211

Tele: (913) 266-4500

Fax: (913) 317-5030

mike@ketchmclaw.com

smccreight@ketchmclaw.com

bfadler@ketchmclaw.com

BOULWARE LAW LLC

Brandon J.B. Boulware MO # 54150

Jeremy M. Suhr MO # 60075

Erin D. Lawrence MO # 63021

1600 Genessee, Suite 416

Kansas City, MO 64102

Tele: (816) 492-2826

Fax: (816) 492-2826

brandon@boulware-law.com

jeremy@boulware-law.com

erin@boulware-law.com

WILLIAMS DIRKS DAMERON LLC

Matthew L. Dameron MO # 52093

Eric L. Dirks MO # 54921

1100 Main Street, Suite 2600

Kansas City, MO 64105

Tele: (816) 945-7110

Fax: (816) 945-7118

matt@williamsdirks.com

dirks@williamsdirks.com

Attorneys for Plaintiffs

/s/ Stacey Anne Mahoney

Stacey Anne Mahoney, *pro hac vice*
MORGAN, LEWIS & BOCKIUS LLP
101 Park Avenue
New York, NY 10178
Telephone: (212) 309-6000
stacey.mahoney@morganlewis.com

***Counsel for Realogy Holdings Corp. (n/k/a
Anywhere Real Estate, Inc.)***

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of September 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to counsel of record for this case.

/s/ Michael S. Ketchmark

Attorney for Plaintiffs